

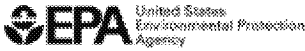


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We've made some changes to EPA.gov. If the information you are looking for is not here, you may be able to find it on the EPA Web Archive or the January 19, 2017 Web Snapshot.

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Current Activities

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Rulemaking - Modernizing the State and Tribal Assumption Regulations

In the Spring 2018 Regulatory Agenda, the EPA announced the Agency's plan for the first comprehensive revision to the existing section 404(g) regulations since 1988. The Administration recognizes the need for greater clarity on the requirements for state and tribal assumption of the section 404 permitting program and identifies this issue as one of its priorities. The EPA intends to modernize these regulations and foster a greater interest by the authorized states and tribes in assuming this authority. The EPA is in the early stages of the rulemaking process. In September 2018, the Agency sent letters to state governors and tribal leaders announced opportunities for states and tribes to provide input on areas that could benefit from additional clarity.

The Agency will continue to update this page as the rulemaking process develops, including announcing any opportunities for public engagement. As the agency has not yet proposed a rule, there is currently no public comment period open.

- [Spring 2018 Regulatory Agenda](#) EXIT
- [Fall 2018 Regulatory Agenda](#) EXIT
- [September 2018 letter to state governors](#)
- [September 2018 letter to tribal leaders](#)

Department of the Army Memorandum to the U.S. Army Corps of Engineers

The Department of the Army recently issued a memorandum to the U.S. Army Corps of Engineers (Corps) that clarifies the program's approach to identifying waters that the Corps would retain should a state or tribe assume section 404 permitting authority. This guidance is consistent with the recommendations provided in a June 2017 Federal Advisory Act Committee report on assumable waters to the EPA Administrator.

- [Read the August 2018 Department of Army Memorandum to the Corps](#)
- [Learn more about the Assumable Waters subcommittee](#)

Grant Opportunities

States and tribes can apply for [Wetland Program Development Grants](#) to develop programs and pursue assumption.

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